

South Dakota Board of Medical and Osteopathic Examiners  
South Dakota Department of Health  
Notice of Public Hearing

Petition for Declaratory Ruling on Attending Physicians' Delegation to Qualified Occupational Therapists to Write Therapy Orders for Residents of Long Term Care Facilities, and whether this is allowed within the scope of practice for licensed occupational therapists as defined by State law.

A public hearing will be held at 101 N. Main Ave, in the First Dakota National Bank building in room 215, Sioux Falls, South Dakota on June 8, 2017, at 10:30 a.m.(CDT), to consider the petition for a declaratory ruling as to whether an attending physician may delegate the writing of therapy orders to qualified occupational therapists for residents of long term care facilities, and whether this is allowed within the scope of practice for licensed occupational therapists as defined by State law.

The petition is presented by the staff of the South Dakota Board of Medical and Osteopathic Examiners. The staff received an inquiry from the South Dakota Association of Healthcare Organizations (SDAHO) due to a recent final federal rule from the United States Department of Health and Human Services, Centers for Medicare & Medicaid Services; Medicare and Medicaid Programs; Reform of Requirements for Long-Term Care Facilities.

Persons interested in presenting opinions or arguments may do so by appearing in person at the public hearing, or by sending letters to the South Dakota Board of Medical and Osteopathic Examiners, 101 N. Main Ave., Suite 301, Sioux Falls, South Dakota 57104, or by sending an email to [SDBMOE@state.sd.us](mailto:SDBMOE@state.sd.us). Material sent by mail and email must reach the Board of Medical and Osteopathic Examiners by June 1, 2017, to be considered.

After the hearing, the Board will consider all written and oral comments it receives and make findings of fact, conclusions of law, and a decision.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Board of Medical and Osteopathic Examiners at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 367-7781.

The Petition is available on the Board website at: [www.sdbmoe.gov](http://www.sdbmoe.gov) and on South Dakota's Boards and Commissions website: <http://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=65>. Copies of the petition may be obtained without charge from the following address:

South Dakota Board of Medical and Osteopathic Examiners  
101 N. Main Ave. Ste. 301  
Sioux Falls, South Dakota 57104